

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 1989. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment authorizing the legislature to organize and combine various state agencies that perform criminal justice functions."

Passed by the House on May 19, 1989, by the following vote: Yeas 139, Nays 0. Passed by the Senate on May 27, 1989, by the following vote: Yeas 29, Nays 1.

Filed with the Secretary of State, June 1, 1989.

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### H.J.R. No. 102

#### A JOINT RESOLUTION

proposing a constitutional amendment relating to the compensation of the lieutenant governor and members of the legislature.

*Be it resolved by the Legislature of the State of Texas:*

SECTION 1. If the voters of this state approve the ballot proposition required by Section 5(a) of this resolution and disapprove the ballot proposition required by Section 5(b) of this resolution, Article III, Section 24, of the Texas Constitution is amended to read as follows:

Sec. 24. (a) Members of the Legislature shall receive from the Public Treasury a salary equal to one-fourth of the salary provided by law for the Governor ~~[of Six Hundred Dollars (\$600) per month]~~. The Speaker of the House of Representatives shall receive an additional salary in the same amount for serving as Speaker. Each member shall also receive a per diem of Thirty Dollars (\$30) for each day during each Regular and Special Session of the Legislature.

(b) No Regular Session shall be of longer duration than one hundred and forty (140) days.

(c) In addition to the per diem the Members of each House shall be entitled to mileage at the same rate as prescribed by law for employees of the State of Texas. ~~[This amendment takes effect on April 22, 1975.]~~

(d) No law varying the salary of Members of the Legislature shall take effect until a general election shall have intervened.

(e) Until the convening of the Regular Session of the 72nd Legislature in 1991, the Members of the Legislature and the Speaker of the House of Representatives shall receive compensation in the amounts prescribed by law on January 1, 1989. This subsection expires January 1, 1992.

SECTION 2. If the voters of this state approve the ballot proposition required by Section 5(b) of this resolution and disapprove the ballot proposition required by Section 5(a) of this resolution, Article III, Section 24, of the Texas Constitution is amended to read as follows:

Sec. 24. (a) Members of the Legislature shall receive from the Public Treasury a salary of Six Hundred Dollars (\$600) per month. Each member shall also receive a per diem ~~[of Thirty Dollars (\$30)]~~ for each day during each Regular and Special Session of the Legislature. The per diem allowed during a calendar year is in an amount equal to the maximum amount allowed as of January 1 of that year for federal income tax purposes as a deduction for living expenses incurred in a legislative day by a state legislator in connection with the legislator's business as a legislator, disregarding any exception in federal law for legislators residing near the capitol.

(b) No Regular Session shall be of longer duration than one hundred and forty (140) days.

(c) In addition to the per diem the Members of each House shall be entitled to mileage at the same rate as prescribed by law for employees of the State of Texas. ~~[This amendment takes effect on April 22, 1975.]~~

*(d) Until the convening of the Regular Session of the 72nd Legislature in 1991, the Members of the Legislature shall receive per diem in the amounts prescribed by law on January 1, 1989. This subsection expires January 1, 1992.*

SECTION 3. If the voters of this state approve the ballot propositions required by Sections 5(a) and 5(b) of this resolution, Article III, Section 24, of the Texas Constitution is amended to read as follows:

Sec. 24. (a) Members of the Legislature shall receive from the Public Treasury a salary equal to one-fourth of the salary provided by law for the Governor ~~[of Six Hundred Dollars (\$600) per month]~~. The Speaker of the House of Representatives shall receive an additional salary in the same amount for serving as Speaker. Each member shall also receive a per diem ~~[of Thirty Dollars (\$30)]~~ for each day during each Regular and Special Session of the Legislature. *The per diem allowed during a calendar year is in an amount equal to the maximum amount allowed as of January 1 of that year for federal income tax purposes as a deduction for living expenses incurred in a legislative day by a state legislator in connection with the legislator's business as a legislator, disregarding any exception in federal law for legislators residing near the capitol.*

(b) No Regular Session shall be of longer duration than one hundred and forty (140) days.

(c) In addition to the per diem the Members of each House shall be entitled to mileage at the same rate as prescribed by law for employees of the State of Texas. ~~[This amendment takes effect on April 22, 1975.]~~

*(d) No law varying the salary of Members of the Legislature shall take effect until a general election shall have intervened.*

*(e) Until the convening of the Regular Session of the 72nd Legislature in 1991, the Members of the Legislature and the Speaker of the House of Representatives shall receive compensation and per diem in the amounts prescribed by law on January 1, 1989. This subsection expires January 1, 1992.*

SECTION 4. If the voters of this state approve the ballot proposition required by Section 5(a) of this resolution, Article IV, Section 17, of the Texas Constitution is amended to read as follows:

Sec. 17. (a) If, during the vacancy in the office of Governor, the Lieutenant Governor should die, resign, refuse to serve, or be removed from office, or be unable to serve; or if he shall be impeached or absent from the State, the President of the Senate, for the time being, shall, in like manner, administer the Government until he shall be superseded by a Governor or Lieutenant Governor.

(b) The Lieutenant Governor shall receive a salary equal to one-half of the salary provided by law for the Governor and, while he acts as President of the Senate, shall receive for his services the same ~~[compensation and]~~ mileage which shall be allowed to the members of the Senate, and no more; ~~and during the time he administers the Government, as Governor, he shall receive in like manner the same compensation which the Governor would have received had he been employed in the duties of his office, and no more].~~ *An increase in the emoluments of the Lieutenant Governor does not make a member of the Legislature ineligible for the office under Article III, Section 18, of this constitution.*

(c) The President, for the time being, of the Senate, shall, during the time he administers the Government, receive in like manner the same compensation, which the Governor would have received had he been employed in the duties of his office.

*(d) Until the first day of the term of office of Lieutenant Governor that begins in 1991, the Lieutenant Governor shall receive compensation in the amount prescribed by law on January 1, 1989. This subsection expires on January 1, 1992.*

SECTION 5. (a) The constitutional amendment proposed by this resolution relating to the salaries of members of the legislature, the speaker of the house of representatives, and the lieutenant governor shall be submitted to the voters at an election to be held November 7, 1989. The ballot shall be printed to provide for voting for or against the

proposition: "The constitutional amendment to limit the salary of the lieutenant governor and the speaker of the house of representatives to not more than one-half of the governor's salary and to limit the salary of a member of the legislature to not more than one-fourth of the governor's salary."

(b) The constitutional amendment proposed by this resolution relating to the per diem of members of the legislature shall be submitted to the voters at an election to be held on the same date as provided by Subsection (a) of this section for the election required by that subsection. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment to set the amount of per diem received by a member of the legislature at the amount allowed for federal income tax purposes as a deduction for living expenses incurred by a state legislator in connection with official business."

Passed by the House on May 15, 1989, by the following vote: Yeas 103, Nays 39, 1 present, not voting; and that the House concurred in Senate amendments to H.J.R. No. 102 on May 28, 1989, by the following vote: Yeas 120, Nays 22. Passed by the Senate, with amendments, on May 27, 1989, by the following vote: Yeas 21, Nays 7. Filed with the Secretary of State, June 1, 1989.